

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

M.R. et al.,

Plaintiffs,

vs.

SUSAN DREYFUS, et al.,

Defendants.

No. C10-2052Z

ORDER

This matter comes before the Court on Plaintiffs' Motion for Stay Pending Appeal, docket no. 176. Plaintiffs' motion for a stay is based on the evidence and arguments previously presented to the Court in connection with the motions for a temporary restraining order and for a preliminary injunction, docket nos. 95 & 155. The Court has previously analyzed all of the pleadings filed in support of and in opposition to these motions. For the reasons stated in the Court's Order dated February 9, 2011, docket no. 171, the Court concludes that (1) Plaintiffs are not likely to succeed on the merits; (2) Plaintiffs have failed to show a likelihood of irreparable harm; (3) any further stay will substantially injure the States' interest in the orderly

1 implementation of its decision to reduce Medicaid spending in 2011; and (4) the  
2 balance of the equities strongly favors the State and the public interest would not be  
3 served by any further delays.  
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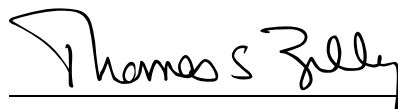
5 Plaintiffs filed this action on December 21, 2010, and since that time the Court  
6 has considered a substantial amount of briefs and supporting declarations filed by the  
7 parties. After the Court denied the motion for a preliminary injunction, the Court  
8 granted Plaintiffs leave to file a motion to amend the complaint and set an expedited  
9 briefing schedule on other pending motions. See Minute Order, (docket no. 172). The  
10 Court has also asked the parties to provide a joint status report on how this case might  
11 proceed on an expedited basis. Minute Order, (docket no. 178). Plaintiffs have failed  
12 to provide any basis for staying the Court's Order denying a preliminary injunction, or  
13 any reason not to proceed on an expedited basis in this Court.  
14

15 Plaintiffs' motion for stay pending appeal, docket no. 176, is DENIED.  
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17 IT IS SO ORDERED.

18 The Clerk is directed to send a copy of this Order to all counsel of record.  
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20 DATED this 16th day of February, 2011.  
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23 Thomas S. Zilly  
24 United States District Judge  
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